REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of July 2, 2004.

Reconsideration of the Application is requested.

Amendments to the Specification

The specification has been corrected as suggested by the Examiner. Accordingly, it is respectfully requested that the objection thereto and the objection to the drawings now be withdrawn.

The Office Action

Claim 1 stands rejected under 35 U.S.C. §102(e) as being anticipated by Reilly (US 2002/0133653).

Claims 2-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Reilly in view of Shively (US 5,748,860).

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Reilly in view of "Inside AppleTalk" (a non-patent reference of record cited by the Applicants).

Claims 7 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tanio (US 5,465,165) in view of Inside AppleTalk.

Claims 8 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tanio in view of Inside AppleTalk in further view of Shively.

Claims 11 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tanio in view of Inside AppleTalk in further view of Menezes (US 5,621,894).

Claims 13 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tanio in view of Inside AppleTalk in further view of Fritz (US 2002/0051184).

Claims 15-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Reilly in view of Fritz.

Claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Reilly in view of Fritz in further view of Shively.

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Reilly in view of Fritz in further view of Menezes.

The Present Claims Distinguish over the References

With respect to claim 1, the rejection is hereby traversed.

Notably, with respect to Reilly, the IDP server **80** (including the print queue **82**) resides at a network architecture layer on the opposite side of the socket services layer **50** with respect to all of the IDP network managers **30**, the parallel port managers **20** and the non-IDP network managers **10**. See, e.g., FIGURES 2 and 3. The network managers **30** provide an interface for IDP protocol/ports (see paragraph [0025]), and likewise the non-IDP network managers **10** and the parallel port manager **20** do the same for non-IDP protocol/ports and parallel ports (see paragraphs [0029] and [0028], respectively). As expressly indicated, the printing system of Reilly provides a print queue **82** which stores job information for host computers **400** attempting to gain access to the printer **410** through IDP and non-IDP protocol/ports. See, e.g., the 1st sentence of paragraph [0038].

Accordingly, print jobs directed to the printer **410** from the host computers **400** are routed through the appropriate protocol/ports by suitable managers (**10**, **20** or **30**) to the IDP server **80** on the other side of the socket services layer **50**. However, interprocess communication mechanisms (which are logical entities through which programs or processes communicate with the network) reside at the socket services layer **50**, an explicit example given is AppleTalk. See, e.g., paragraph [0026]. AppleTalk is, however, defined in the present application as a print communication protocol. Accordingly, a print job in Reilly reaches the claimed print communications protocol module (e.g., AppleTalk identified in Reilly at the socket services layer **50**) prior to reception by the print server **80**. This is directly contrary to the claimed feature of intercepting the print job before it reaches a print communications protocol module.

Importantly, Reilly fails to teach each and every element/step of the claim, arranged as called for by the claim. Claim 1, consequently, distinguishes over the reference and is now in condition for allowance, along with claims 2-6 that depend therefrom.

The rejection of claim 7 is also hereby traversed.

Notably, Tanio never discloses a print communication protocol module. In fact, the Office Action identifies no element that corresponds to the print

communication protocol module through which the host computer **400** is in data communication with the print device **1000**.

Further, the Office Action alleges that the image separation unit **500** corresponds to the claimed query processor. The two are, however, not fairly equated. Nowhere does Tanio suggest that the image separation unit **500** returns any answers in response to any queries back to the host computer **400**. In fact, nowhere does Tanio even mention detecting a query. Simply, separating rater data from non-raster does not mean that one has detected a query. Rather, all that was detected was raster data and arguably non-raster data.

The logic of the Office Action is simply flawed. If one were to identify all the grapes in a bowl of fruit salad and remove them therefrom, it would not be fair to say that they detected the presence or absence of orange sections in the bowl of fruit salad. Rather, they merely isolated the grapes, while the rest of the bowl can still contain any combination of fruits. Similarly, identifying and separating out all the raster data, does not necessarily mean that queries where detected. In fact, the non-raster data may or may not include a query. The separation unit **500** is ignorant of whether the non-raster data includes a query or not. Accordingly, it is not fair to say that the separation unit **500** has detected a query as claimed. The separation unit **500** therefore does not equate to the claimed query processor.

Tanio fails to teach each and every element/step of the claim, arranged as called for by the claim, and combining Inside AppleTalk with Tanio fails to supply or otherwise make up for the absent teaching. Claim 7, consequently, distinguishes over the references and is now in condition for allowance, along with claims 8-14 that depend therefrom.

As to claim 15, the rejection thereof is also hereby traversed.

As already pointed out, in Reilly, client data is directed to the printer **410** from the host computers **400** by being routed through the appropriate protocol/ports via suitable managers (**10**, **20** or **30**) to the IDP server **80** on the other side of the socket services layer **50** where, e.g., AppleTalk resides. See paragraph [0026]. Again, AppleTalk is defined in the present application as a print communication protocol. Accordingly, client data in Reilly reaches the claimed print communications protocol module (e.g., AppleTalk identified in Reilly at the socket services layer **50**) prior to reception by the print server **80**. This is directly contrary to the claimed feature of

intercepting the client data before it reaches a print communications protocol module.

As before, Reilly fails to teach each and every element/step of the claim, arranged as called for by the claim. Moreover, combining Fritz with Reilly fails to supply or otherwise provide for the missing teachings. Claim 15, consequently, distinguishes over the reference and is now in condition for allowance, along with claims 16-20 that depend therefrom.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-20) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

No additional fee is believed to be required for this Amendment A. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call John P. Cornely, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

January 3, 2005
Date

John P. Cornely
Reg. No. 41,687
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

N:\XERZ\200375\IEW0001842V001.doc